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FACSIMILE TRANSMITTAL

DATE: May 19, 2005

TO: Commissioner of Patents

FAX: 703-872-9306

FROM: Steven W. Stewart

PAGES: 17 (including cover page)

RE: U.S. Patent Application No. 10/017,678

FILED: December 13, 2001

FOR: WATERMARK ENABLED VIDEO OBJECTS

ART UNIT: 2621

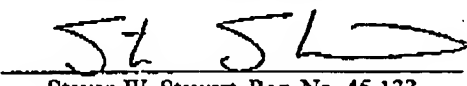
DOCKET NO.: P0509L

☒ Urgent☐ For Review☐ Please Reply**FACSIMILE COVER LETTER**

Attached is a Letter and Interview Summary, Terminal Disclaimer and copy of the Information Disclosure Statement filed May 9, 2005, for the above referenced matter. Please charge \$130.00 (fee for terminal disclaimer) and any additional fees which may be required in connection with filing this paperwork and any extension of time, or credit any overpayment, to Deposit Account No. 50-3284.

CERTIFICATE OF FAXING

I hereby certify that these papers are being facsimile transmitted to the US Patent Office, 703-872-9306 on May 19, 2005.


Steven W. Stewart, Reg. No. 45,133
Attorney for Applicant

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In re application of:
Geoffrey B. Rhoads

Art Unit: 2621

MAY 19 2005

Conf. No.: 9753

Application No.: 10/017,678

Filed: December 13, 2001

For: WATERMARK ENABLED VIDEO
OBJECTS

Examiner: S. Nakhjavan

Date: May 19, 2005

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19, 2005.



Steven W. Stewart, Reg. No. 45,133
Attorney for Applicant

Letter and Interview Summary

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Out of an abundance of caution only, a terminal disclaimer is submitted herewith
over commonly-owned U.S. Patent No. 6,590,997 (the "'997 patent") and any patent
issuing from co-pending U.S. Patent Application No. 10/617,571.

A terminal disclaimer was previously filed on September 20, 2004, which
addressed the '997 patent. We see in PAIR that this earlier TD has not been accepted, so
we have included it here again.

There may be some confusion as to the title of the application. The September
20, 2004 amendment sought to amend the title. To date, it appears that the title
amendment has not been entered. Thus, the accompanying terminal disclaimer and this
paper are titled as the original title. We ask, however, that the title will be changed as
requested in our September 20, 2004 amendment.

We greatly appreciate the courtesies extended by Examiner Nakhjavan during our May 17, 2005 interview. As a statement of the substance of the interview, we discussed our newly submitted claims in regards to commonly owned U.S. Patent No. 5,862,260, relative to one of our priority documents, application no. 08/508,083.

We are resubmitting an Information Disclosure Statement (filed May 9, 2005) since we do not see it listed on PAIR.

The application is believed ready for allowance. Nevertheless, the Examiner is invited to telephone the undersigned at 503-469-4685 if any questions arise.

Date: May 19, 2005

Respectfully submitted,

Customer No. 23735

DIGIMARC CORPORATION

Phone: 503-885-9699

FAX: 503-885-9880

By



Steven W. Stewart
Registration No. 45,133

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FACSIMILE TRANSMISSION

DATE: May 9, 2005

TO: Commissioner of Patents

FAX: 703-472-9306

FROM: Steven W. Stewart

PAGES: 14

RE: U.S. Patent Application No. 10/017,678

FILED: December 13, 2001

FOR: WATERMARK-ENABLED VIDEO OBJECTS

ART UNIT: 2621

DOCKET NO.: P0109L

☒ Urgent

☐ For Review

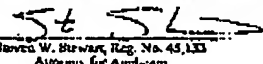
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FACSIMILE COVER LETTER

Attached is an IDS and Form PTO-1449 for the above referenced matter. No fee is believed due, however, please charge any fees which may be required to disconnection with filing this paperwork and any extension of time, or credit my overpayment, to Deposit Account No. 50-2264.

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 Steven W. Stewart, Reg. No. 45,133
 Attorney for Applicant

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PATENT
ATTY. REF. NO. P0509L

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Art Unit 2621

Rhoads et al.

Conf. No.: 9753

Serial No.: 10/017,678

Filed: December 13, 2001

Examiner: S. Nakhjavan

For: WATERMARK ENABLED VIDEO
OBJECTS

Date: May 9, 2005

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Steven W. Stewart, Reg. No. 45,133
Attorney for Applicant

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INFORMATION DISCLOSURE STATEMENTMAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants submit herewith information of which they are aware, and which they believe may be material to the examination of the application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. The information is listed on the attached Form PTO-1449.

The submission of information on the attached Form PTO-1449 is not intended as an admission that any such information constitutes prior art against the claims of the application under examination. Applicants do not waive any right to take any appropriate action to antedate or otherwise remove any information from the attached Form PTO-1449.

No fee is required since this document is being submitted prior to the date of a first Office action.

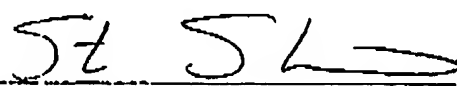
If a first Office action on the merits was mailed prior to the mailing of this Information Disclosure Statement, please charge to Deposit Account No. 50-3284 any fees that may be required for considering this Information Disclosure Statement under 37 C.F.R. § 1.17(p).

Date: May 9, 2005

Respectfully submitted,

CUSTOMER NUMBER 23735

DIGIMARC CORPORATION

Phone: 503-469-4800
FAX 503-469-4777By 
Steven W. Stewart
Registration No. 45,133

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|---|-------------------|---------------------|
| INFORMATION DISCLOSURE STATEMENT | Docket: P0509 | Ser. No. 10/017,678 |
| | Applicant: Rhoads | |
| | Filed: 12/13/01 | Group: 2621 |

| US Patent Documents | | | | |
|--------------------------|--|----------|----------------|-------|
| Ex'r Initial | Number | Date | Inventor | Class |
| | 5459583 | 10/17/95 | Nakata | |
| | 5748763 | 5/5/98 | Rhoads | |
| | 5765152 | 6/9/98 | Erickson | |
| | 5841978 | 11/24/98 | Rhoads | |
| | 5845281 | 12/1/98 | Benson et al. | |
| | 5910987 | 6/8/99 | Ginter et al. | |
| | 5943422 | 8/24/99 | Van Wie et al. | |
| | 6112008 | 8/29/00 | Sugita et al. | |
| | 6433946 | 8/13/02 | Ogino | |
| | 6590997 | 7/8/03 | Rhoads | |
| | 20040240846 | 12/2/04 | Cookson et al. | |
| | 20050024536 | 2/3/05 | Cookson et al. | |
| | 20050031156 | 2/10/05 | Rhoads | |
| Foreign Patent Documents | | | | |
| Ex'r Initial | Number | Date | Country | Class |
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| Other References | | | | |
| Ex'r Initial | Cite | | | |
| | May 5, 2005, Amendment in 10/617,571 (published as 20050031156). | | | |
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| Examiner Signature: | Date Considered: |
| *Examiner: Initial if considered, whether or not in conformance with MPEP 609; draw line through cite if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

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|-----------------------------|--|
| DATE: May 6, 2005 | RE: U.S. Patent Application No. 10/617,571 |
| TO: Commissioner of Patents | FILED July 11, 2003 |
| FAX: 703-872-9306 | FOR: VIDEO STEGANOGRAPHY |
| FROM: Steven W. Spruyt | ART UNIT: 2621 |
| PAGES: 11 | DOCUMENT NO: M08541 |

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FACSIMILE COVER LETTER

Attached is a Third Preliminary Amendment, IAS and Form PTO-1445 for the above referenced matter. No fees are believed due, however, please charge any fees which may be required in connection with filing these papers and any extension of time, or credit any overpayment, to Deposit Account No. 50-3284.

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Steven W. Spruyt
 Steven W. Spruyt, Reg. No. 65,133
 Attorney for Applicant

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PAGE 1/1 * RCVD AT 5/6/2005 5:52:09 PM (Eastern Daylight Time) * SVR:USPTO-EFAXF-1/1 * DNIS:8729306 * CSID:+5034694777 * DURATION (mm:ss):04:34



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FACSIMILE TRANSMITTAL

DATE: May 6, 2005

TO: Commissioner of Patents

FAX: 703-872-9306

FROM: Steven W. Stewart

PAGES: 11

RE: U.S. Patent Application No. 10/617,571

FILED: July 11, 2003

FOR: VIDEO STEGANOGRAPHY

ART UNIT: 2621

DOCKET NO.: P0854L


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☒ Urgent☐ For Review☐ Please Reply**FACSIMILE COVER LETTER**

Attached is a Third Preliminary Amendment, IDS and Form PTO-1449 for the above referenced matter. No fees are believed due, however, please charge any fees which may be required in connection with filing these papers and any extension of time, or credit any overpayment, to Deposit Account No. 50-3284.

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Steven W. Stewart, Reg. No. 45,133
Attorney for Applicant

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PATENT
ATTY. REF. NO. P0854L

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Geoffrey B. Rhoads

Serial No.: 10/617,571

Filed: July 11, 2003

Examiner: A. Johns

For: VIDEO STEGANOGRAPHY

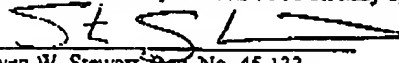
Date: May 6, 2005

Art Unit 2621

Conf. No.: 3541

CERTIFICATE OF FAXING

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Steven W. Stewart, Reg. No. 45,133
Attorney for Applicant

THIRD PRELIMINARY AMENDMENT

MAIL STOP AMENDMENT
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Sir:

Prior to examination, please amend the subject application as follows:

SWS:brp 5/6/05

PATENT
ATTY. REF. NO. P0854LIn the Claims

1-45 (canceled).

46. (previously presented): A video processing method comprising:

(a) receiving video content, said content comprising first and associated second data, said first data representing video picture elements to be rendered for display to a consumer, the second data not representing video picture elements to be rendered for display to the consumer;

(b) decoding information steganographically encoded in the first data; and

(c) making a determination concerning said video by reference to said decoded information and said second data.

47. (previously presented): The method of claim 46 in which said determination relates to whether a recording capability should be enabled or disabled.

48. (previously presented): The method of claim 46 in which (c) includes checking reliability of said second data by reference to said decoded information.

49. (previously presented): The method of claim 46 in which the received first data is steganographically encoded by a method that adapts encoding of the information to features of the video, to reduce visible distortion of the video.

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PATENT
ATTY. REF. NO. P0854L

50. (previously presented): The method of claim 46 in which the received first data is steganographically encoded by a method that manifests said encoding of the information as an increase in luminance of certain video picture elements, and as a decrease in luminance of certain other video picture elements.

51. (previously presented): The method of claim 46 in which the second data comprises video management information.

52. (previously presented): The method of claim 46 in which the second data comprises metadata related to said visual information.

53. (previously presented): The method of claim 46 in which said first and second data are received in a data structure comprising header data and compressed video information.

54. (previously presented): The method of claim 53 in which said data structure comprises a file.

55. (previously presented): In a data structure stored in a tangible medium, the data structure including first and second data, the first data representing video to be rendered for display to a consumer, the second data comprising associated information that does not represent video to be rendered for display, an improvement wherein the first data conveys a steganographically encoded signal useful in assuring reliability of said second data.

SWS:tmp 5/6/05

PATENT
ATTY. REF. NO. P0854L

56. (previously presented): The data structure of claim 55 in which the first data represents video in compressed form.

57. (previously presented): The data structure of claim 55 in which the first data represents video in MPEG compressed form.

58. (previously presented): The data structure of claim 55 in which the first data comprises a stream of video.

59. (previously presented): The data structure of claim 55 in which the second data comprises administrative information concerning said video.

60. (previously presented): The data structure of claim 55 in which said steganographic encoding comprises subtle changes to the luminance of the video.

61. (previously presented): The data structure of claim 60 in which said subtle changes in luminance are not all uniform, but rather are adapted to the video so as to reduce visibility of said the encoded signal.

62-66. (canceled).

SWS:mp 5/6/05

PATENT
ATTY. REF. NO. P0854L

67. (new): A video processing method comprising:

obtaining video content, said video content comprising first data and associated second data, said first data representing video picture elements to be rendered for display to a consumer, the second data not representing video picture elements to be rendered for display to the consumer; and

steganographically encoding information in the first data,

whereby a determination concerning said video content can be made by reference to either of said encoded information and said second data.

68. (new): The method of claim 67 in which said determination relates to whether a recording capability should be enabled or disabled.

69. (new): The method of claim 67 in which the determination includes checking reliability of the second data by reference to the information.

70. (new): The method of claim 67 in which the first data is steganographically encoded by a method that adapts encoding of the information to features of the video, to reduce visible distortion of the video.

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PATENT
ATTY. REF. NO. P0854L

71. (new): The method of claim 67 in which the first data is steganographically encoded by a method that manifests the encoding of the information as an increase in luminance of certain video picture elements, and as a decrease in luminance of certain other video picture elements.

72. (new): The method of claim 67 in which the second data comprises metadata related to the first data.

73. (new): The method of claim 67 in which the first data and second data are received in a data structure comprising header data and compressed video information.

74. (new): The method of claim 73 in which said data structure comprises a file.

75. (new): A method comprising:
receiving video, wherein authentic video comprises in-band information and associated out-of-band information;
looking for out-of-band information associated with the received video;
looking for in-band information associated with the received video; and
based at least in part on a result of said looking for out-of-band information and said looking for in-band information, reaching a conclusion regarding the received video.

76. (new): The method of claim 75 in which the conclusion relates to whether a recording capability should be enabled or disabled.

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PATENT
ATTY. REF. NO. P0854L

77. (new): The method of claim 75 in which the conclusion relates to a reliability of the out-of-band information.

78. (new): The method of claim 75 in which the in-band information is steganographically encoded by a method that adapts encoding of the in-band information to features of the video, to reduce visible distortion of the video.

79. (new): The method of claim 75 wherein the in-band information comprises steganographic encoding.

80. (new): The method of claim 75 in which the in-band information is steganographically encoded by a method that manifests encoding of the information as an increase in luminance of certain video picture elements, and as a decrease in luminance of certain other video picture elements.

81. (new): The method of claim 75 in which the out-of-band information comprises video management information.

82. (new): The method of claim 75 in which the out-of-band information comprises metadata related to the video.

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PATENT
ATTY. REF. NO. P0854L

REMARKS

Claim Status:

After entry of the foregoing amendment, claims 46-61 and 67-82 are pending in the application.

Claims 1-45 and 62-66 are canceled herein without prejudice to the subject matter recited therein. We reserve the right to present these claims in one or more continuing applications.

Claims 67-82 are newly added to even more fully protect applicant's inventive work.

Personal Interview:

The undersigned looks forward to our upcoming interview on May 17, 2005.

Information Disclosure Statement:

An Information Disclosure Statement and Form 1449 are filed concurrently herewith. Favorable consideration is respectfully requested.

Conclusion:

The Examiner is invited to contact the undersigned with any questions.

COPY

Date: May 6, 2005

Customer Number 23735


Phone: 503-469-4685

FAX: 503-469-4777

Respectfully submitted,

DIGIMARC CORPORATION

By



Steven W. Stewart

Registration No. 45,133